

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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TOWN & COUNTRY LINEN CORP. and TOWN &
COUNTRY HOLDINGS, INC,

Plaintiffs,

-v-

INGENIOUS DESIGNS LLC, JOY MANGANO, and
HSN, INC.,

Defendants.

18-cv-5075 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Counsel for Plaintiffs has raised a question with the Court, via email, as to how the Court proposes to handle argument regarding information that is designated as confidential under the protective order in this case.


The parties are ordered to meet and confer and to submit a letter on ECF no later than May 24, 2021 at 12:00 p.m. with a proposal on how to handle argument on information that is confidential, including whether either party requests that the courtroom be sealed for any portion of the proceeding.

The parties are reminded that designation of material as confidential does not assure that the Court will keep the material under seal. The parties also are reminded that “[i]n order to overcome the presumption of [public] access . . . the party seeking closure must demonstrate ‘a substantial probability of prejudice to a compelling interest’ of one of the parties or of a third party, which closure would prevent,” *Barr Lab’ys, Inc. v. KOS Pharms., Inc.*, 362 F. Supp. 2d 421, 422 (S.D.N.Y. 2005) (quoting *Huminski v. Corsones*, 396 F.3d 53, 86 (2d

Cir.2005)), and that a court must “consider whether alternatives [are] available to protect the interests of the persons that the . . . court’s orders [seek] to guard’ for a closure to be found constitutional,” *id.* at 423 (quoting *Huminski*, 396 F.3d at 86).

SO ORDERED.

Dated: May 21, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge